

Translation

PATENT COOPERATION TREATY

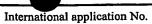


PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

		- >7.10					
Applicant's or agent's file reference VCstsF1578/1	FOR FURTHER AC	TION Preliminary	eation of Transmittal of International Examination Report (Form PCT/IPEA/416)				
International application No.	International filing date	c (day/month/year)	Priority date (day/month/year)				
PCT/FR2003/003335	07 novembre 200	3 (07.11.2003)	08 novembre 2002 (08.11.2002)				
International Patent Classification (IPC) or n C07H 15/18	ational classification and	IPC					
Applicant	TS PHA	RMA					
This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.							
2. This REPORT consists of a total of	4 sheets,	including this cover s	heet.				
This report is also accompan amended and are the basis fo 70.16 and Section 607 of the These annexes consist of a to	or this report and/or sheet Administrative Instructi	s containing rectifications under the PCT).	on, claims and/or drawings which have been tions made before this Authority (see Rule				
This report contains indications relations.	ating to the following iter	ms:					
Basis of the report	J J						
II Priority							
	of opinion with regard to	novelty, inventive st	ep and industrial applicability				
Lack of unity of inv	vention						
v Reasoned statemen	t under Article 35(2) with nations supporting such s	h regard to novelty, intatement	eventive step or industrial applicability;				
VI Certain documents	cited						
VII Certain defects in the	he international applicati	on					
VIII Certain observation	ns on the international ap	plication					
Date of submission of the demand		Date of completion	of this report				
	2004						
02 juin 2004 (02.06.2	2004)	U4 F	ebruary 2005 (04.02.2005)				
Name and mailing address of the IPEA/EP		Authorized officer					
Facsimile No.		Telephone No.					



PCT/FR2003/003335

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

of the rep	port	
egard to	the elements of the international application:*	
the inter	mational application as originally filed	
the desci	ription:	
pages _	1-35	, as originally filed
pages _		, filed with the demand
pages _	, filed with the letter of	
the clain	ns:	
pages _	1-14	, as originally filed
pages	, as amended (together with any st	atement under Article 19
pages		_, filed with the demand
pages _	, filed with the letter of	
the draw	wings:	
pages	1-13	, as originally filed
pages		_, filed with the demand
pages _	, filed with the letter of	
he sequer	nce listing part of the description:	
•	-	, as originally filed
pages		
pages	, filed with the letter of	
the lang the lang the lang or 55.3 regard minary er contain filed to furnish The st interna The st been for	and application was filed, unless otherwise indicated under this item. Its were available or furnished to this Authority in the following language guage of a translation furnished for the purposes of international search (under Rule 23.1(b)), guage of publication of the international application (under Rule 48.3(b)). Inguage of the translation furnished for the purposes of international preliminary examination of the international application in a sequence disclosed in the international application was carried out on the basis of the sequence listing: Indeed in the international application in written form. Indeed subsequently to this Authority in written form. Indeed subsequently to this Authority in computer readable form. International application as filed has been furnished written sequence listing does not go beyon attional application as filed has been furnished. International to the written form is identical to the written sequence that the information recorded in computer readable form is identical to the written sequence.	which is: on (under Rule 55.2 and/ ication, the international
This reposed accement in the second 70.17).	the claims, Nos the drawings, sheets/fig port has been established as if (some of) the amendments had not been made, since they had the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).** sheets which have been furnished to the receiving Office in response to an invitation under the as "originally filed" and are not annexed to this report since they do not contain	Article 14 are referred to amendments (Rule 70.16
	egard to the inter the descripages pages p	pages

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

Internation oplication No.
PCT/FR 03/03335

٧.	Reasoned statement under Article 35(2) with regard to	novelty, inventive step or industrial applicability;
	citations and explanations supporting such statement	

Citations and Capitalities 171			
Statement			
Novelty (N)	Claims	1-14	YES
	Claims		NO
Inventive step (IS)	Claims	1-14	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-14	YES
	Claims		NO

2. Citations and explanations

Reference is made to the following document:

D1: O.Ouari et al. J. Org. Chem. 64 (1999) 3554-3556

D1, which is considered the prior art closest to the subject matter of claims 1 to 14, describes an amphiphilic derivative of α -C-phenyl-N-tert-butyl nitrone.

Therefore the subject matter of claims 1 to 14 differs from this known subject matter in that it concerns compounds as in D1 with the tert-butyl modified.

Consequently the subject matter of claims 1 to 14 is novel (PCT Article 33(2)).

The problem addressed by the present invention can thus be considered that of synthesising alternative compounds intended to prevent or treat diseases associated with oxidative stress.

The solution to this problem proposed in claims 1 to 14 of the present application is considered to involve an inventive step (PCT Article 33(3)) for the following

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

Internation plication No.
PCT/FR 03/03335

reasons:

In light of D1, it is not obvious for a person skilled in the art to use the derivatives as in claims 1 to 14 to solve the problem of interest. Moreover, the synthesis of the D1 derivative presents problems which make its production on an industrial scale difficult to imagine (page 4 of the description).